

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jaquincy Audra Harris

Docket No. 4:08-CR-55-3F

Petition for Action on Supervised Release

COMES NOW Christopher Studley, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jaquincy Audra Harris, who, upon an earlier plea of guilty to Conspiracy To Distribute and Possess With Intent to Distribute More Than 50 Grams of Cocaine Base, (Crack) in violation of 21 U.S.C. §846, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge on April 28, 2009, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Jaquincy Audra Harris was released from custody on November 16, 2012, at which time the term of supervised release commenced in the District of South Carolina. On May 5, 2013, the Court was notified of a positive sample for marijuana which was submitted by the defendant on April 26, 2013. At that time, the District of South Carolina recommended holding the violation in abeyance and placing Mr. Harris in a color code drug program similar to the Surprise Urinalysis Testing Program in the Eastern District of North Carolina. Additionally, he was referred to AA/NA meetings for support and education. On May 16, 2013, the Court agreed to hold the violation in abeyance pending the defendant's further compliance.

On January 15, 2014, the defendant submitted a urine sample, which tested positive for marijuana. When confronted with the result, the defendant signed an Admission of Drug Use form stating he used marijuana on January 1, 2014, and subsequently on January 11, 2014. At the time, the Court agreed to modify his supervision and add the following condition:

1. The defendant shall complete 30 hours of community service under the direction of the U.S. Probation Officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On April 1, 2015, the District of South Carolina reported that on March 31, 2015, Mr. Harris reported to the probation office and provided a urinalysis which was positive for marijuana. The defendant signed an Admission of Drug Use form stating he smoked marijuana on March 27, 2015. At that time, the defendant discussed his inherent pattern of poor decision making skills, inability to manage stress, and challenges associated with family and community relationships. Mr. Harris will be placed back on Surprise Urinalysis Testing and the probation officer suggested that he involve himself in a Cognitive Behavioral Therapy group which will allow him the opportunity to address these multiple issues in a therapeutic manner.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release probation be modified as follows:

1. The defendant shall satisfactorily participate and complete a Cognitive Behavioral Treatment Program as approved by the U.S. Probation Office. The defendant shall contribute to the costs of such treatment not to exceed an amount determined reasonable by the court approved "U.S. Probation Office's Sliding Scale of Service."

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Michael Brittain
Michael Brittain
Senior U.S. Probation Officer

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Christopher Studley
Christopher Studley
U.S. Probation Officer
310 New Bern Avenue Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8669
Executed On: April 13, 2015

ORDER OF THE COURT

Considered and ordered this 13th day of April, 2015 and ordered filed and
made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge